

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Criminal No. 05-165(RHK/AJB)

Plaintiff,

ORDER

v.

EDWARD MOORE,

Defendant.

This matter came on before the Court on July 29, 2005 for a hearing upon the motion to withdraw as defense counsel and request by the defendant for appointment of new counsel. The defendant was present and represented by George Rapaich, Esq. The United States was represented by Assistant U.S. Attorney Andrew Dunne.

Based upon all files, records and proceedings herein, and upon the arguments of counsel,

IT IS HEREBY ORDERED that:

1. The motion of the defendant for appointment of new counsel (Doc. No. 35) is **GRANTED**;
2. Defendant, on the record, waived his rights to a speedy trial and, accordingly, all delay attributable to this continuance is excluded for Speedy Trial Act purposes.

3. A continuance and exclusion of delay is appropriate under 18 U.S.C. § 3161(h)(8). The Court finds that the ends of justice served by granting a continuance outweigh the best interest of the public in a speedy trial.

Dated: August 3, 2005

s/Richard H. Kyle

RICHARD H. KYLE

United States District Judge